

**ECF Users Group**  
**September 6, 2002, 10:00 a.m.**

**NOTE: Items in red were added after the meeting adjourned**

**Attending:**

<b>Name</b>	<b>Firm</b>	<b>E-Mail Address</b>
<b><u>Users Group</u></b>		
Baker, Cindy	Mitchell Rallings, et al.	<a href="mailto:Cbaker@mrsmt.com">Cbaker@mrsmt.com</a>
Carnes, Susan	Geoffrey Planer	<a href="mailto:Planerlf@bellsouth.net">Planerlf@bellsouth.net</a>
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Hopper, Casey	O. Max Gardner, III	<a href="mailto:cjhopper44@cs.com">cjhopper44@cs.com</a>
Humphrey, Pam	Office Of Ch. 13 Trustee	<a href="mailto:ch13cha@aol.com">ch13cha@aol.com</a>
Lane, Craig	Craig Lane	<a href="mailto:Cblane@cblanelaw.com">Cblane@cblanelaw.com</a>
Marshall, Janice	Shuford Hunter & Brown, PA	<a href="mailto:janicemarshall@shblawyers.com">janicemarshall@shblawyers.com</a>
Rodman, Heather	Shuford Hunter & Brown, PA	<a href="mailto:heatherrodman@shblawyers.com">heatherrodman@shblawyers.com</a>

**Court Staff**

Adams, Jessica	Bankruptcy Administrator Office	<a href="mailto:jessicaadams@ncwba.uscourts.gov">jessicaadams@ncwba.uscourts.gov</a>
Adams, Julia	USBC - Courtroom Staff	<a href="mailto:julia_adams@ncwb.uscourts.gov">julia_adams@ncwb.uscourts.gov</a>
Caldwell, Carol	USBC - Operations Manager	<a href="mailto:carol_caldwell@ncwb.uscourts.gov">carol_caldwell@ncwb.uscourts.gov</a>
Felts, Robin	USBC - DQA/Trainer	<a href="mailto:robin_felts@ncwb.uscourts.gov">robin_felts@ncwb.uscourts.gov</a>
Hamilton, Ursula	USBC - Case Administrator	<a href="mailto:ursula_hamilton@ncwb.uscourts.gov">ursula_hamilton@ncwb.uscourts.gov</a>
Heavner, Karen	USBC - Systems Analyst	<a href="mailto:karen_heavner@ncwb.uscourts.gov">karen_heavner@ncwb.uscourts.gov</a>
Shirah, Robin	USBC - Case Administrator	<a href="mailto:robin_shirah@ncwb.uscourts.gov">robin_shirah@ncwb.uscourts.gov</a>
Weich, David	USBC - Chief Deputy	<a href="mailto:davidweich@ncwb.uscourts.gov">davidweich@ncwb.uscourts.gov</a>
Young, Jean	USBC - Case Administrator	<a href="mailto:jean_young@ncwb.uscourts.gov">jean_young@ncwb.uscourts.gov</a>

**1. Request for notes secretary & Chairperson** : Robin Felts will record notes of todays meeting. Karen Heavner will continue to schedule future meetings and prepare agenda. **NOTE: After the meeting Heather Rodman with Shuford Hunter & Brown, PA volunteered to be future notes secretary.**

**2. Meeting Schedule**: The 3-month meeting schedule will continue. The next meeting time was tentatively scheduled for after the Thanksgiving holiday during the 1<sup>st</sup> week of December. Karen Heavner will set a specific meeting date and time.

**3. Web-Site access**: The Court Web-Site will continue to have the meeting notes available under *CM/ECF - Users Group*.

**4. Adversary Complaints/Summons**: The filing of an Adversary Proceeding electronically now automatically prompts the Clerk's office to issue a summons electronically. It is not necessary for the attorney to file an unissued summons. It is important to be aware of the service time concerning the summons. Upon the clerk's office generation of a summons, the Bankruptcy Noticing Center (BNC) will serve the plaintiff attorney the summons within 3-days. This cuts down on the 10 day time available to serve the summons. If the attorney needs as much time as possible to serve the summons, it is recommended that the attorney electronically file an unissued summons for the clerks office to process and issue. The attorney would then receive the e:mail notification (with the issued summons attached) the next day.

√ *Reminder: 3<sup>rd</sup> party Complaints will continue to require the unissued summons be filed by the attorney.*  
√ *Reminder: The Adversary cover sheet is still required to accompany the complaint upon filing.*

5. **Electronic Service on Chapter 13 Trustee:** Pam Humphrey reported that Warren Tadlock and Steve Tate sent a letter to the debtor bar notifying them of the effective date to discontinue manual service of filed documents. All documents filed on or after **September 3, 2002** will be electronically served and received by them. No paper service is necessary in the Charlotte, Shelby and Wilkesboro divisions.

6. **Ch. 13 Trustee/Certificate Of Service:** The language on the Certificates of Service will be changed to specify that documents are being served either electronically or by regular mail.

√ Creditor attorneys may still receive paper and electronic service.

7. **Volunteers Requested:** Pam Humphrey relayed that the electronic noticing service that the Chapter 13 Trustee's use would welcome volunteers from the bar. **Information about Electronic Bankruptcy Noticing (EBN) can be found at the Bankruptcy Noticing Center's website at <http://www.noticingcenter.com>.**

8. **Service Of Orders Confirming Chapter 13 Plans:** Effective August 28th, the Clerk's office accepted the responsibility for mailing the Orders Confirming the Plan in Chapter 13 cases to ALL creditors in the case. The Orders will be served via BNC. All authorized ECF users, including the Chapter 13 Trustees will continue to receive the e-mail notification with the order attached as well as paper service by the BNC.

9. **Pacer Billing - Notice Of Bankruptcy Case Filing:** It has been determined when an attorney opens multiple cases there is no charge for the Notice of Bankruptcy Case Filing in the first case opened; however, a PACER charge is incurred for each notice generated in each additional case filed during the same ECF session. To avoid this charge the attorney must log out of ECF and log in to a new ECF session each time a new case is filed. Karen stated a Modification Request (MR) is filed with the ECF developers in Washington requesting that this notice be free upon filing of any new case.

Further, the Notice of Bankruptcy Case Filing may be more than one page depending on the amount of data extracted into the notice. The notice will cost 14 cents instead of 7 cents when there are joint debtors or aliases **because PACER determines "billable pages" based on the number of lines counted from the raw data files before they are formatted for display as an html document on the screen and not based on the printed page size.** Karen was asked to modify the existing MR to request that either the first look at the notice be free or the form be reworked to only charge for one page regardless of the data extraction.

#### **Group Questions/Request:**

# **Craig Lane, atty. - Orders submitted electronically?** At this time automation is working on a program to enable orders to be submitted electronically for signature.

# **Attorney Manual update request** - Procedures requested to be updated on the court's web-site.

1. Adversary Summons Executed/ Unexecuted

2. Large volume exhibits - Separate attachment instructions

#### **Further Discussion:**

# **Ch. 13 Proof Of Claims:** Warren Tadlock's office is now filing proofs of claims electronically in cases filed and closed in 2002 in the Charlotte Division. They are all filed at the time of closing.

# **Adding Of Creditors upon amendment filed:** The Clerk's Office will enter additional creditors when an amendment is filed. The Clerk's office will look further into procedures and determine if/when a disk should be required, the number of creditors added being the determining factor.

# **Chapter 13 Annual Status Reports:** These reports will be sent via BNC for the Charlotte, Shelby, and Wilkesboro divisions in the upcoming future. Warren Tadlock and Steve Tate will send a letter to the debtor bar informing of the effective date of the change and method of service.

Meeting Adjourned @ 11:00 am.